IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

FRIDAY THE SIXTH DAY OF JANUARY TWO THOUSAND AND SIX

: PRESENT :

THE HON'BLE MR. JUSTICE : G.CHANDRAIAH

MA.CMA.MP No. 60 of 2006

Between:

The United India Insurance Company Ltd., rep. by its Divisional Manager, D.O.XI, H.No. 16-10-27/105, II Floor, Malakpet, Hyderabad.

Petitioner

(Appellant in MACMA No.23/2006
on the file of the High Court)

AND

1. Smt. Shanur W/o Late Ayez Khan @ Sanjay @ Sikinder aged about 37 years Occ Household.
2. Feroz Khan S/o Late Mohammed Ayez Khan @ Sanjay @ Sikinder aged about 20 years, Student.
3. Afroz Khan S/o Mohammed Ayez Khan @ Sanjay @ Sikinder aged about 17 years student Respondent No. 3 being minor rep. by his natural mother cum-guardian, Respondent No. 1 herein Respondents 1 to 3 are residents of H.No. 19-2-60, Phulbagh Jamuna, Hyderabad.
4. K. Murali S/o K. Surya Rao aged Major Occ: Business r/o H. No. 40-50/1, Flat No. 4, Kasturi Apartments, Brindavan Colony, Vijayawada (Owner of the Oil Tanker No. AP-7T- 3177)

Respondents

(Respondents in –do-)

COUNSEL FOR PETITIONER : MR. NARESH BYRAPANENI

COUNSEL FOR RESPONDENTS :

Petition under Section 151 of CPC praying the High Court to grant stay of operation of the decree and judgment in O.P. No. 1051 of 2003 on the file of the Motor Accident claims Tribunal-cum-XIII Addl. Chief Judge (FTC), City Civil Court at Hyderabad Dt: 5th October 2005. Pending Disposal No. MACMA No, 23 of 2006 on the file of the High Court.

The Court while directing issue of notice to the Respondents herein to show cause why this application should not be complied with, made the following order. (The receipt of this order will be deemed to be the receipt of notice in the case).
The Court made of the following:-

ORDER :

"There shall be interim stay of impugned award, passed by the court below on condition of the petitioner/ appellant depositing half of the awarded amount including interest and costs, if any, within a period of six weeks from today duly giving credit to the amount, if any already deposited.

On such deposit, the 1st and 2nd respondents/ claimants, (majors) alone are permitted to withdraw their share of amount in the same proportion as ordered by the court below, so deposited by the appellant, without furnishing any security. In respect of respondent No. 3 (Minor) is a concerned, his respective share of amount shall be kept

in fixed deposit, as ordered by the court below.

ASSISTANT REGISTRAR

//TRUE COPY//

FOR ASSISTANT REGISTRAR

To

1. The Motor Accident claims Tribunal-cum-XIII Addl. Chief Judge (FTC), City Civil Court at Hyderabad
2. Smt. Shanur W/o Late Ayez Khan @ Sanjay @ Sikinder aged about 37 years Occ Household. residents of H.No. 19-2-60, Phulbagh Jamuna, Hyderabad (on behalf of herself being her son is minor)

   1. Afroz Khan S/o Mohammed Ayez Khan @ Sanjay @ Sikinder aged about 17 years student
3. Feroz Khan S/o Late Mohammed Ayez Khan @ Sanjay @ Sikinder aged about 20 years, Student. residents of H.No. 19-2-60, Phulbagh Jamuna, Hyderabad
4. K. Murali S/o K. Surya Rao aged Major Occ: Business r/o H. No. 40-50/1, Flat No. 4, Kasturi Apartments, Brindavan Colony, Vijayawada (Owner of the Oil Tanker No. AP-7T- 3177)

   (RR 2 TO 4 BY RPAD)
5. One C.C. TO MR. NARESH BYRAPANENI ADVOCATE OPUC
6. Spare Copy

AGS

HIGH COURT

GC.J

DT: 06-01-2006

ORDER :

MACMA MP NO. 60/2006
IN
MACMA NO. 23/2006

INTERIM STAY

AGS Drafted on
Dt: 27-01-2006

HIGH COURT

GC.J

DT: 06-01-2006

ORDER :

MACMA MP NO. 60/2006
IN
MACMA NO. 23/2006

INTERIM STAY